

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRIAN WALTERS,
Petitioner,

v.

LAWRENCE MAHALLY, *et al.*,
Respondents.

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CIVIL ACTION NO. 18-CV-3722

ORDER

AND NOW, this 13th day of December, 2019, upon careful and independent consideration of the petition for a writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey to which no objections were filed, **IT IS ORDERED** that:

1. The Report and Recommendation [Doc. 37] is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **DISMISSED** as untimely;
3. There is no probable cause to issue a certificate of appealability; and
4. The Clerk of the Court shall mark this case closed for statistical purposes.

BY THE COURT:

/s/ Jeffrey L. Schmehl
JEFFREY L. SCHMEHL, J.